

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

GENE COGGINS,)
)
Plaintiff,)
)
v.) CASE NO. 3:07-cv-0402-MEF-TFM
)
CITY OF JACKSON'S GAP, *et al.*,)
)
Defendants.)

ORDER ON MOTION

Upon referral of this case for action on all pretrial matters and for recommendation as may be appropriate (Doc. 5), the Court considers Plaintiff's second renewed *Motion to Proceed in forma pauperis* (Doc. 11, filed June 28, 2007).¹

The court wishes the plaintiff to understand *fully* the limited nature of being allowed to proceed *in forma pauperis*. This status does permit the plaintiff to *commence* this lawsuit without *prepayment* of fees and court costs, but it does not permit the plaintiff to maintain the lawsuit without incurring any personal expenses.

The Plaintiff should understand that he *may* incur expenses as a result of the prosecution of this case, and there is no provision for the court's payment of those expenses. For example, in the event of a trial, the Plaintiff may compel the attendance of witnesses through subpoena *only* by tendering to each witness payment of a one-day witness fee of \$40,

¹ Plaintiff included an amended affidavit which allowed the Court to determine his eligibility to proceed *in forma pauperis* under 28 U.S.C. § 1915.

plus mileage. Additionally, court costs, in varying amounts, can be very substantial, and they are normally assessed against the losing party. This means that a plaintiff who loses a case may be charged with, and obligated to pay, *all* court costs, even though the plaintiff is proceeding *in forma pauperis*,

Having advised the Plaintiff of the possible expense of litigation, it is
ORDERED that the *Motion to Proceed In Forma Pauperis* (Doc. 11) is hereby
GRANTED. The Clerk is DIRECTED to lift the general stay on the lawsuit and the Court vacates its order that a filing fee must be paid (Doc. 9). **For good cause, it is further ORDERED that service of this Complaint IS HEREBY STAYED.**

DONE this 28th day of June, 2007.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE